

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
DELTA DIVISION**

JARELL TERRY
ADC #149998C

PLAINTIFF

v.

CASE NO. 2:20-CV-00145-BSM

DEVINE MAIDEN, *et al.*

DEFENDANTS

ORDER

After *de novo* review of the record, United States Magistrate Judge J. Thomas Ray's recommended disposition [Doc. No. 163] is adopted, except as to the recommendation that Jarell Terry's sexual harassment claim be dismissed with prejudice. Terry's motion for summary judgment on his excessive force claim against Dennis Ugbaja [Doc. No. 144] is denied. Ugbaja's cross motion for summary judgment [Doc. No. 151] is granted, and Terry's excessive force claim is dismissed with prejudice. Mya Coney's motion for summary judgment on Terry's failure to intervene claim [Doc. No. 129] is granted, and this claim is dismissed without prejudice for failure to exhaust administrative remedies. Terry's motion to voluntarily dismiss his sexual harassment claim against Devine Maiden [Doc. No. 142] is granted, but this claim is dismissed without prejudice. Terry's motion for preliminary injunction [Doc. No. 135] and motion for evidentiary hearing [Doc. No. 164] are denied, and this case is closed.

IT IS SO ORDERED this 30th day of March, 2023.


UNITED STATES DISTRICT JUDGE